

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: May 10, 2012

Division: Wildlife

Agenda Item: Mineral Rights Acquisition – Spotted Dog WMA (Region 2, Powell County)

Action Needed: Endorse Course of Action

Time Needed on Agenda for this Presentation: 10 minutes

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Background: In 2011 FWP acquired the 27,600-acre Spotted Dog Wildlife Management Area (WMA). This land winters the largest concentration of elk in the Upper Clark Fork, and supports important populations of antelope, deer, moose, and bear, along with native westslope cutthroat trout in several streams. Its unique habitat feature is the second-largest block of unbroken native grassland in a single ownership west of the Continental Divide in Montana.

FWP acquired all of the seller's mineral rights, but a previous owner retains a 50% mineral interest on about 14,100 acres of the Spotted Dog WMA. That owner (Pauly family) has now agreed to sell their mineral rights to FWP. This transaction would give FWP all of the mineral rights on the northeastern half of the WMA (except for limited DNRC rights noted below), thus removing the potential for private mineral exploration and development on this important habitat.

FWP already holds 100% mineral ownership on the remaining 13,500 acres of the Spotted Dog WMA. If FWP successfully acquires the Pauly mineral rights, the only outstanding mineral rights on the entire WMA will be DNRC ownership of oil, gas and coal rights on 3,059 acres.

Acquisition of the Pauly mineral ownership would ensure that no mineral exploration and/or extraction activities occur on the majority of the Spotted Dog Property, thus meeting many of the objectives for which the Department originally purchased the property.

Public Involvement Process & Results: There has been no public involvement to date on this proposal. With Commission endorsement, FWP would complete a MEPA analysis that would include a public comment opportunity.

Alternatives and Analysis: If FWP does not acquire these outstanding mineral rights, the owners could seek other potential buyers, raising the prospect of mineral exploration and/or extraction which could jeopardize wildlife, fish, and recreation resource values.

Agency Recommendation & Rationale: Proceed with the purchase of the Pauly mineral rights to further ensure protection of the vast majority of Spotted Dog WMA.

Proposed Motion: I move that the Commission endorse the Department's efforts to pursue the acquisition of outstanding mineral rights for the Spotted Dog Wildlife Management Area.